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Attorney Docket No. 363

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Confirmation No. 1712
Niakam Kazemi)
Serial No.: 09/828,351) Group Art Unit: 2172
Filed: April 6, 2001) Examiner: Cam Y.T. Truong
For: DEFECT MANAGEMENT)
DATABASE)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Technology Center 2100

Sir:

REQUEST FOR RECONSIDERATION

Applicants respectfully request reconsideration of the Office Action dated May 7, 2003, the period for response to which has been extended through November 7, 2003, by a Request for Extension of Time filed contemporaneously herewith.

In the Office Action, the Examiner rejected claims 1-26 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,381,556 to Kazemi et al.

Claims 1-26 are pending in the patent application.

Applicants respectfully traverse the Examiner's rejection of claims 1-26 under 35 U.S.C. § 102(e) as being anticipated by Kazemi et al. Claim 1, for example, is not anticipated by Kazemi et al. because the reference fails to teach each and every element of the claim. In particular, Kazemi et al. at least fails to teach the claimed combination including a *symptom* data entity storing symptoms of manufacturing process defects, as recited in claim 1.

As described in the specification, optical components, for example, may be found to be defective during a manufacturing process. Often, however, even though the symptoms may be known, a likely repair action may not be readily apparent to a troubleshooter. Consistent with the present invention, symptoms are associated with particular repair actions in a database. Accordingly, after ascertaining a symptom, the troubleshooter can easily lookup those repair actions that fix that symptom (specification at page 16, lines 11-17.)

The Examiner contends that Fig. 47A of Kazemi et al. discloses the claimed symptom data entity. Fig. 47A, however, illustrates possible defects such as "Incorrect Fiber Routing", but does not identify the symptoms of those defects. Apparently, Fig. 47A may be used by a troubleshooter once the defect is known, but the figure does not suggest a data database storing symptoms themselves, and necessarily fails to disclose associating symptoms with defects, which in turn are associated with repair actions. Accordingly, Fig. 47A of Kazemi et al. would provide little guidance to a troubleshooter in identifying a defect, and a corresponding repair action, if only the symptom is known. Applicant therefore submits that Kazemi et al. fails to teach the claimed symptom data entity, as recited in claim 1.

Independent claim 14 recites a method of using a manufacturing quality information database including the step of storing symptoms of manufacturing process defects. As noted above in connection with claim 1, Kazemi et al. does not teach storing symptoms of manufacturing defects. Accordingly, claim 14 is distinguishable over Kazemi et al. at least for reasons discussed above in regard to claim 1.

In light of the above-described deficiencies of Kazemi et al.,

Applicants submit that claims 1 and 14 are allowable over the applied reference. Moreover, claims 2-13 and 15-26 are allowable at least due to their dependence from claims 1 and 14, respectively.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petition for a three-month extension of time for filing a reply in connection with the present application, and the required fee of \$950.00 is attached hereto.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 02-2448. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

By: 

David L. Soltz

Reg. No. 34,731

Date: November 7, 2003



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4450-0237P
PATENT

IN THE U.S. PATENT AND TRADEMARK OFFICE

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Technology Center 2100

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 7, 2003

Sir:

Transmitted herewith is Request For Reconsideration and a three (3) month Extension of Time in the above-identified application.

- The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- The enclosed document is being transmitted via facsimile.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL		-	20	=	0	\$ 18	\$0.00
INDEPENDENT		-	3	=	0	\$ 86	\$0.00
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						\$290	\$0.00
						TOTAL	\$0.00

Petition for three (3) month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$0.00 for the extension of time.

No fee is required.

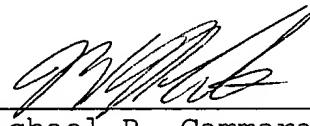
Check(s) in the amount of \$950.00 is(are) enclosed.

Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
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